

Senate Resolution 4

By: Senators Miller of the 49th, Dugan of the 30th, Hill of the 4th, Gooch of the 51st, Mullis of the 53rd and others

A RESOLUTION

- 1 Adopting the Rules of the Senate; and for other purposes.
- 2 BE IT RESOLVED BY THE SENATE that the Rules of the Senate in effect at the adjournment of the 2018 Regular Session of the General Assembly are hereby adopted as the Rules of the Senate for the 2019-2020 biennium of the General Assembly unless and until otherwise provided by resolution of the Senate, with the following amendments:

6 **SECTION 1.**

7 The Rules of the Senate are amended by revising Part 2 of Section One by adding a new rule
8 to read as follows:

9 **"1-2.5 Senate Offices**

10 (a) Except for those officers designated in paragraph (b) of this Rule, the Secretary of the
11 Senate shall assign office space to each Senator on the basis of seniority at the beginning
12 of the term after leadership positions are determined. The Committee on Administrative
13 Affairs shall adopt policies and procedures that the Secretary shall follow in performing
14 this function. In the event a vacancy occurs in the Senate during the interim, the newly
15 elected Senator shall occupy the office space of his or her predecessor in office for the
16 remainder of the term.

17 (b) Members of the Senate who are elected or appointed to the following offices are
18 entitled to occupy designated office space in the capitol as follows:

| | |
|--|-------------------------|
| 19 (1) <u>President Pro Tempore</u> | <u>Room 321 Suite</u> |
| 20 (2) <u>Majority Leader</u> | <u>Room 236</u> |
| 21 (3) <u>Majority Leadership Suite</u> | <u>Suite 421 A-F</u> |
| 22 (4) <u>Minority Leader Suite</u> | <u>Room 121-A and B</u> |
| 23 (5) <u>Chair, Committee on Rules</u> | <u>Room 453</u> |
| 24 (6) <u>Chair, Committee on Appropriations</u> | <u>Room 234</u> |

25 (c) The Committee on Administrative Affairs may authorize the Secretary to deviate from
26 the procedures set forth in this paragraph as circumstances warrant."

27

SECTION 2.

28 Said rules are further amended by revising Part 4 of Section One as follows:

"PART 4: CONDUCT AND ETHICS**1-4.1 Definitions**

31 For purposes of this Part:

32 (a) 'Committee' shall mean the Senate Committee on Ethics.

33 (b) 'Senate staff' or 'staff' shall mean any person who is not an officer or member of the
34 Senate, who is employed by the Senate, receives compensation from the Senate, or who
35 volunteers their services to the Senate.

1-4.1 1-4.2 Personal Financial Gain

37 (a) Senators and Senate staff shall refrain from using government positions to attain
38 personal financial gain.

39 (b) Senators and staff shall not use public resources or personnel for the purpose of
40 conducting personal or private business activity. Ordinary and necessary communications
41 which Senators and staff must conduct with their homes and business interests while
42 serving in their public capacities are permitted.

43 (c) Senators shall not seek, accept, use, allocate, grant, or award public funds for any
44 purpose other than as approved by law.

45 (d) No Senator shall vote upon any question if the Senator or any member of the Senator's
46 immediate family has a direct pecuniary interest in the result of such vote which interest
47 is distinct, unique, or peculiar to the Senator or the Senator's immediate family.

1-4.2 1-4.3 Campaign Contributions

49 (a) No Senator or staff shall solicit a campaign contribution in a state office building.
50 Senators shall not operate political campaigns or operate political fund-raising campaigns
51 from state office buildings which have not been leased or rented for such purposes.

52 (b) Senators shall not agree to, or threaten to withhold, political action or constituent
53 services as a result of a person's decision to provide or not to provide a political
54 contribution, charitable contribution, or support.

1-4.3 1-4.4 Conflicts of Interest

56 (a) Senators and staff shall avoid financial conflicts of interest and close economic
57 associations where official action or decisions are motivated not by public duty but by
58 economic self-interest or association. 'Financial conflicts of interest and close economic
59 associations' are defined as those financial interests or interests arising from close
60 economic associations with other persons or entities which are so material, direct, distinct,

61 unique, and peculiar to the Senator or staff that it might reasonably be expected that
62 impartial official judgment could not be exercised.

63 (b) No Senator or staff shall seek, accept, or retain employment which: makes it
64 unreasonably difficult to fulfill legislative obligations; requires the disclosure or use of
65 nonpublic or confidential information acquired in the course of legislative service; requires
66 improper use of government relationships or the prestige associated with legislative offices;
67 or will require the Senator or staff to compromise any other ethical or legal duty.

68 **1-4.4 1-4.5 Special Treatment; Acceptance of Things of Value**

69 (a) No Senator or staff, acting as an attorney or representative of another, shall seek or
70 accept any special treatment not otherwise approved by law or judicial order because of his
71 or her legislative role.

72 (b) No Senator or staff shall accept anything of value when such thing of value is offered
73 with the understanding that official action will be taken or withheld by a Senator or staff
74 in consideration of acceptance of that which is offered. Any offer made which is
75 conditioned upon the taking or withholding of official action shall immediately be reported
76 in writing to the ~~Chairman of the Committee on Ethics~~ Secretary of the Senate. (O.C.G.A.
77 16-10-2.)

78 **1-4.5 1-4.6 Crimes of Moral Turpitude and Controlled Substances**

79 No Senator or staff shall knowingly commit any crime involving moral turpitude or
80 knowingly possess, use, manufacture, or distribute any controlled substance, dangerous
81 drug, marijuana, or alcoholic beverage in violation of any state or federal law or any county
82 or municipal ordinance. Conviction of any such crime, the acceptance of a plea of guilty
83 or nolo contendere to any such crime, or imposition of payment of a criminal or
84 administrative penalty for any such crime shall constitute a violation of this Rule.

85 **1-4.6 1-4.7 Sexual Harassment**

86 (a) The Senate is committed to providing a healthy and appropriate work environment for
87 legislators, legislative employees, interns, aides, and other state employees which is free
88 from sexual harassment. Sexual harassment will not be tolerated.

89 (b) Senators and staff are expected to discourage sexual harassment in the workplace and
90 at events, professional meetings, seminars, or any activities that involve legislative
91 business.

92 (c) 'Sexual harassment' means making unwelcome sexual advances, requesting sexual
93 favors, or other verbal or physical conduct of a sexual nature when:

94 (1) Submission to such conduct is made explicitly or implicitly a term or condition of an
95 individual's employment;

96 (2) Submission to or rejection of such conduct by an individual is used as a basis for
97 employment decisions affecting the employee; or

98 (3) Such conduct interferes with the employee's work performance or creates an
99 intimidating, hostile, or offensive work environment.

100 (d) The provisions of this Rule apply to Senators, officers of the Senate, and Senate staff,
101 ~~and Senate aides, interns, and volunteers.~~

102 (e) ~~Complaints may be brought by Senators, Senate staff, and Senate aides, interns, and~~
103 ~~volunteers under the provisions of Rule 1-4.10; provided, however, that complaints against~~
104 ~~staff (other than officers of the Senate), aides, or interns shall be brought in accordance~~
105 ~~with the Georgia General Assembly Employee Handbook, November 2013 edition.~~

106 ~~Senators, Senate staff, and Senate aides, interns, and volunteers will be subject to sanctions~~
107 ~~proportionate to the seriousness of the offense. Senate staff is required to report any conduct~~
108 ~~that they believe violates this Rule to their supervisor or to the General Assembly's Director~~
109 ~~of Human Resources. A supervisor who receives such report shall notify the General~~
110 ~~Assembly's Director of Human Resources of the report.~~ A supervisor who does not take
111 appropriate action when the supervisor knows or has reason to suspect that harassment is
112 occurring is also subject to sanctions proportionate to the seriousness of the offense.

1-4.7 1-4.8 Discriminatory Harassment

114 (a) The Senate is committed to providing a healthy and appropriate work environment for
115 legislators, legislative employees, interns, aides, and other state employees which is free
116 from discriminatory harassment. Discriminatory harassment will not be tolerated.

117 (b) 'Discriminatory harassment' means unwelcome conduct that is based on race, color,
118 religion, sex (including pregnancy), national origin, age (40 or older), disability, or genetic
119 information where:

120 (1) Enduring the offensive conduct becomes a condition of continued employment; or
121 (2) The conduct is severe or pervasive enough to create a work environment that a
122 reasonable person would consider intimidating, hostile, or abusive.

123 (c) The provisions of this Rule apply to Senators, officers of the Senate, and Senate staff,
124 ~~and Senate aides, interns, and volunteers.~~

125 (d) ~~Complaints may be brought by Senators, Senate staff, and Senate aides, interns, and~~
126 ~~volunteers under the provisions of Rule 1-4.10; provided, however, that complaints against~~
127 ~~staff (other than officers of the Senate), aides, or interns shall be brought in accordance~~
128 ~~with the Georgia General Assembly Employee Handbook, November 2013 edition.~~

129 ~~Senators, Senate staff, and Senate aides, interns, and volunteers will be subject to sanctions~~

130 proportionate to the seriousness of the offense Senate staff is required to report any conduct
131 that they believe violates this Rule to their supervisor or to the General Assembly's Director
132 of Human Resources. A supervisor who receives such report shall notify the Director of
133 Human Resources of the report. A supervisor who does not take appropriate action when
134 the supervisor knows or has reason to suspect that harassment is occurring is also subject
135 to sanctions proportionate to the seriousness of the offense.

136 **1-4.8 1-4.9 Standard of Conduct**

137 ~~All contact with constituents, staff, lobbyists, representatives of the media, and others~~
138 ~~interested or involved in the process of government shall be conducted in a courteous,~~
139 ~~professional, and discreet manner~~ No member of the Senate, officer of the Senate, or
140 Senate staff shall engage in improper conduct which may reflect negatively upon the
141 Senate, is a violation of the law, or is a violation of the Standards of Conduct and Ethics
142 under Part 3 or 4 of Section One of the Rules of the Senate.

143 **1-4.9 Opinions and Advice Regarding the Senate Rules**

144 ~~A Senator or staff member may request in writing the opinion or advice of the Committee~~
145 ~~on Ethics with regard to interpretation of any section of Part 4 of Section One. The~~
146 ~~Committee on Ethics shall expeditiously respond in writing to such request. All requests~~
147 ~~for opinions or advice or any opinion or advice given shall be confidential.~~

148 **1-4.10 Committee on Ethics**

149 (a) Purpose: The Committee on Ethics (the Committee) is a committee created by the
150 Senate and shall be construed to function in furtherance of the powers conferred upon the
151 Senate by Article III, Section IV, Paragraph VII of the Constitution of this state. As a
152 Committee of the Senate, neither it nor any staff or material in its possession shall be
153 deemed to be a public office or records of a public office; provided however, the
154 Committee may by rule provide for the release of information or documents received by
155 it in the course of the performance of its duties.

156 (b) Authority to Take Official Action: The Committee is authorized to meet and to take
157 official action on matters within its jurisdiction at any time including during the periods
158 after adjournment sine die and prior to the convening of the next legislative session.

159 (c) Jurisdiction: The Committee is authorized to:

160 (1) Investigate any matter referred to it by the Senate and report its findings and
161 recommendations, if any, to the Senate;
162 (2) Receive and investigate properly filed complaints alleging that a Senator or officer
163 of the Senate engaged in improper conduct that may reflect negatively upon the Senate,

164 violated the law, or violated any rule under Part 3 or 4 of Section One of the Rules of the
165 Senate:

166 (3) Initiate an inquiry on its own initiative of improper conduct that is within the
167 jurisdiction of the Committee;

168 (4) Recommend, when appropriate, disciplinary action against members of the Senate
169 or officers of the Senate;

170 (5) Recommend to the Senate rules or policies that may be necessary to ensure
171 appropriate Senate standards of conduct;

172 (6) Report violations of law to appropriate law enforcement authorities; and

173 (7) Render advisory opinions on the application of Parts 3 and 4 of Section One of the
174 Rules of the Senate.

175 (d) Membership and Quorum: The Committee shall be composed of the President Pro
176 Tempore, the Majority Leader, the Majority Whip, the Minority Leader, the Minority
177 Whip, and eight other members appointed by the Committee on Assignments. The
178 President Pro Tempore, the Majority Leader, the Majority Whip, the Minority Leader, and
179 the Minority Whip shall be ex officio members of the Committee. The quorum for the
180 Committee shall be a majority of its regular members, not including the ex officio
181 members. However, the ex officio members may be counted for purposes of determining
182 the existence of a quorum.

183 (e) Disqualification and Recusal: A member of the Committee shall be ineligible to
184 participate in any Committee proceeding, preliminary inquiry, or adjudicatory review of
185 a matter which he or she filed or to which he or she is the complainant or respondent. A
186 member of the Committee may recuse himself or herself from a matter before the
187 Committee at any time. Either the complainant or the respondent may petition the
188 Committee to disqualify a member of the Committee from participating in proceedings
189 related to the complaint. Such petition shall be granted if the Committee believes, by a
190 majority vote, that good cause is shown for disqualification. In the event a member of the
191 Committee is disqualified or recused, the Committee on Assignments shall appoint a
192 member of the Senate to the Committee to serve during the period of such disqualification
193 or recusal. Such appointee shall be a member of the same party as that of the disqualified
194 or recused member.

195 **1-4.10 1-4.11 Ethics Complaints**

196 (a)(1) A Any person may file a complaint alleging a violation of any section of that any
197 Senator, officer of the Senate, or member of the Senate staff has engaged in improper
198 conduct that reflects negatively upon the Senate, violated the law, or violated any Senate

199 Rule under Part 3 or 4 of Section One of these Rules, provided that: may only be brought
200 by a Senator or Senate staff, aides, or interns

201 (A) No complaint shall be filed against any person for conduct that was not prohibited
202 when the conduct occurred;

203 (B) The Committee shall not have jurisdiction to investigate an act or conduct that
204 occurred more than two (2) years prior to the date the complaint is filed; and

205 (C) The Committee shall not take any action on a complaint filed against any member
206 of the Senate or officer of the Senate, who is a candidate for elected office, after such
207 person has qualified as a candidate, until such election is certified by the Secretary of
208 State. Complaints that are barred from filing pursuant to this subparagraph may be filed
209 within 30 days of the certification of the election.

210 (2) All complaints against a member of the Senate, an officer of the Senate, or a member
211 of the Senate staff shall be filed according to this rule. A Such complaint shall be
212 initiated by filing a complaint it with the Secretary of the Senate who shall ensure that the
213 complaint is timely and properly completed before it is accepted for filing. The Secretary
214 will retain the original complaint and all related documents as confidential material until
215 such time as the Committee or the Senate has released such information. The Secretary
216 shall prescribe a form for such complaints and provide for instructions necessary to
217 properly submit a complaint. The complaint shall:

218 (A) Specifically describing the nature of the alleged violation and the party
219 or parties involved and shall be include a statement by the complainant as to whether
220 or not in filing the complaint he or she is acting as an agent, paid or otherwise, for any
221 other person;

222 (B) Include a statement by the complainant that he or she will abide by the Rules of the
223 Senate and the rules of the Committee, including the rules related to confidentiality.
224 Failure to adhere to these rules may result in the dismissal of the complaint and subject
225 the offending person to sanctions and the contempt powers of the Senate; and

226 (C) Be signed by the complainant and verified under oath. The complaint form shall
227 notify the complainant that any person who knowingly provides false information in
228 executing the complaint under this rule commits the offense of false swearing within
229 the meaning of Code Section 16-10-71.

230 (3) Upon the filing of a complaint, the Secretary shall promptly refer the complaint as
231 follows:

232 (A) If the complaint is against a member of the Senate, or an officer of the Senate, to
233 the Chairman of the Senate Committee on Ethics. A copy of the complaint shall be
234 provided to the President of the Senate. If the subject of the complaint is If the
235 complainant is directly supervised by the Secretary of the Senate and he or she has a

complaint against the Secretary of the Senate, then such complaint shall be filed with the President Pro Tempore. The person receiving such complaint shall maintain the original complaint in confidence and shall promptly deliver a copy of the complaint to the Chairman of the Committee on Ethics, unless the subject of the complaint is the chairman of the committee and in such event such complaint shall be delivered to the Vice-chairman of the Committee on Ethics who shall oversee all matters pertaining to such complaint and shall act as Chairman of the Committee on Ethics for such complaint. The Committee on Ethics (hereinafter in this Rule "the Committee") shall promptly serve the named respondent with a copy of the complaint by personal service or by certified mail, return receipt requested, or electronically if agreed to by the respondent. If the complaint is against the Secretary of the Senate, such complaint shall be filed with the President Pro Tempore of the Senate; and

(B) If the complaint is against a member of the Senate staff, the Secretary shall promptly deliver a copy of the complaint to the department director who supervises the respondent and to the General Assembly's Director of Human Resources. Complaints against members of the Senate staff shall be addressed administratively in accordance with applicable policies of the Senate or General Assembly and not through the Committee.

(2) Any complaint under Part 6 of Article 2 of Chapter 10 of Title 45 of the O.C.G.A. shall be brought, filed, and served as provided in said part.

(b) Complaints Initiated by the Committee: The Committee may initiate an ethics investigation on its own initiative by majority vote of the Committee. If the Committee issues a complaint, it shall do so within a reasonable time following the Committee's initiation of such investigation by a majority of the Committee signing a complaint that specifically describes the nature of the alleged violation and the party or parties involved. The Committee shall promptly serve the respondent with a copy of the complaint and service of such complaint shall be by personal service or by certified mail, return receipt requested, or electronically if agreed to by the respondent.

(c) Confidentiality:

(1) Preliminary Inquiry: Any complaint brought by or before the Committee and all records and information related to such complaint shall remain confidential until the Committee has determined that reasonable grounds substantial credible evidence exists which provides substantial cause to believe that a violation of Part 4 of Section One of these Rules or any violation of Part 6 of Article 2 of Chapter 10 of Title 45 of the O.C.G.A. an act within the jurisdiction of the Committee has occurred. If the Committee determines that reasonable substantial cause to believe that such violation does not exist, the complaint shall be dismissed and all records and information related to such

273 complaint shall remain confidential. The Committee, by a majority vote, may waive the
274 confidentiality requirements of this subparagraph upon the request of either party to the
275 complaint or on its own initiative.

276 (2) Settlement: Any settlement reached between the Committee and the respondent
277 pursuant to division (d)(4)(D) of this rule shall be a matter of public record and filed with
278 the Secretary of the Senate.

279 (3) Adjudicatory Hearing: Adjudicatory hearings to determine whether a violation
280 within the jurisdiction of the Committee has occurred shall be open to the public. The
281 Committee, by a majority vote, may hold any, some, or all of its meetings in executive
282 session upon the request of either party to the complaint or on its own initiative.

283 (4) Access to Confidential Information: Each member of the Committee and other
284 persons as authorized by the Committee shall have access to all confidential information
285 and materials. The Committee shall establish such procedures as may be appropriate and
286 necessary to prevent the unauthorized disclosure of confidential information and material.
287 Such procedures may include the designation of a secure location at which members of
288 the Committee and others as authorized by the Committee can review confidential
289 information and materials.

290 (5) The Committee shall investigate all alleged breaches of confidentiality under this
291 subparagraph.

292 (d) Preliminary Inquiry:

293 (1) Service on Respondent: After the chairman receives a complaint, either pursuant to
294 this Rule or pursuant to Code Section 45-10-91, the Committee or a subcommittee thereof
295 appointed by the chairman shall preliminarily investigate the complaint. Upon receipt of
296 the complaint, the chairman shall promptly serve the named respondent with a copy of
297 the complaint by personal service, or by certified mail return receipt requested, or
298 electronically if agreed to by the respondent.

299 (2) Preliminary Inquiry Subcommittee: The Chairman, the President Pro Tempore, the
300 Majority Leader, the Majority Whip, the Minority Leader, and the Minority Whip shall
301 constitute the Preliminary Inquiry Subcommittee. The subcommittee may meet by
302 teleconference. Meetings of the subcommittee shall not be open to the public, and all
303 information and documents in possession of the subcommittee shall remain confidential
304 unless released by the Committee or the Senate.

305 (3) Conduct of the Inquiry:

306 (A) After receipt of the complaint, the chairman shall promptly convene a meeting of
307 the Preliminary Inquiry Subcommittee for the purpose of determining whether
308 substantial credible evidence which provides substantial cause to conclude that a
309 violation within the jurisdiction of the Committee occurred. The preliminary inquiry

310 may include inquiries, sworn statements, depositions, and other appropriate means of
311 determining the facts of the matter under inquiry. The subcommittee is authorized to
312 secure the assistance of the Secretary of the Senate, Legislative Counsel, and other
313 Senate staff as it deems appropriate. It may also retain and compensate counsel or other
314 experts not employed by the General Assembly provided that funding for such outside
315 counsel or expert is approved by the Committee on Administrative Affairs.

316 (B) The respondent shall be afforded the opportunity to respond to the complaint
317 before the subcommittee makes its determination. Such response may be oral or in
318 writing, with or without counsel.

319 (e)(4) Upon completion of a preliminary investigation inquiry, which shall include an
320 assessment of jurisdiction, the individuals conducting the investigation Preliminary
321 Inquiry Subcommittee shall prepare a written report detailing their its findings and shall

322 present such report to the members of the Committee. Any report of the Preliminary
323 Inquiry Subcommittee must be adopted by a majority vote of those members to which the

324 subcommittee is entitled, one vote of which shall be from a member of the minority party.

325 Such report shall remain confidential except as provided in paragraph (c) of this rule.

326 Upon receipt of the report of the subcommittee, the Committee may make any of the

327 following determinations:

328 (A) The Committee shall determine whether it has jurisdiction over the complaint. If
329 the Committee determines it does not have jurisdiction over the complaint, in which
330 case it shall dismiss the complaint, with written notice to the complainant and
331 respondent and such. Such matter shall remain confidential except as provided in
332 paragraph (c) of this rule. If the Committee dismisses the complaint for lack of

333 jurisdiction, it may proceed pursuant to paragraph (b). If the Committee determines it

334 has jurisdiction, but does not find that reasonable grounds to believe that a violation of

335 Part 4 of Section One of these Rules or any violation of Part 6 of Article 2 of Chapter

336 10 of Title 45 of the O.C.G.A. occurred, it shall dismiss the complaint with written

337 notice to the complainant and the respondent and such

338 (B) No such substantial credible evidence exists in which case it shall dismiss the
339 complaint. The Committee may delegate to its subcommittee the authority to dismiss
340 any matter that it determines, after a preliminary inquiry, lacks substantial credible
341 evidence. Such matter shall remain confidential except as provided in paragraph (c) of
342 this rule.

343 (C) There is substantial credible evidence but the alleged violation is inadvertent,
344 technical, or de minimis in nature, in which case the Committee may dispose of the
345 matter by issuing a public or private letter of admonition which shall not be considered
346 discipline.

347 (D) There is substantial credible evidence and votes to proceed to an adjudicatory
348 hearing. If the Committee determines it has jurisdiction and finds reasonable grounds
349 to believe that a violation of Part 4 of Section One of these Rules or any violation of
350 Part 6 of Article 2 of Chapter 10 of Title 45 of the O.C.G.A. occurred, Prior to
351 conducting an adjudicatory hearing, the Committee may negotiate a settlement with the
352 respondent or set the matter for a hearing. Any negotiated settlement shall be a matter
353 of public record and shall be filed with the Secretary of the Senate. If a negotiated
354 settlement is not reached, the Committee will hold open hearings, taking any relevant
355 evidence that addresses the complaint.

356 (f) Any negotiated settlement shall be a matter of public record and shall be filed with the
357 Secretary of the Senate.

358 (g)(e) Adjudicatory Hearing: If a negotiated settlement is not reached, the Committee will
359 hold open hearings, taking any relevant evidence that addresses the complaint. In the event
360 the Committee votes to proceed to an adjudicatory hearing and no negotiated settlement
361 is reached, the chairman shall set the matter for an adjudicatory hearing which shall be
362 open to the public unless the Committee decides by a majority vote to hold part or all of
363 the adjudicatory hearing in executive session. The Committee may require the attendance
364 and testimony of witnesses and the production of documents and materials which the
365 Committee deems advisable and may administer oaths and affirmations. The respondent
366 shall receive reasonable notice of any hearing and shall be entitled to receive within a
367 reasonable time before the hearing copies of access to all relevant material before the
368 Committee that is not otherwise exempt from disclosure under Article 4 of Chapter 18 of
369 Title 50 of the O.C.G.A.; In addition, the respondent shall be entitled to secure counsel
370 of his or her choosing; and to examine any witnesses who may be called by the Committee
371 to appear at any hearing. The respondent shall also have the right to call witnesses and
372 present evidence at any hearing. The Committee shall assure that all hearings are recorded.
373 The Committee shall have the burden of proof. Both the Committee and the respondent
374 shall be entitled to rebuttal. Upon completion of such hearing, the Committee shall issue
375 a report of its findings and recommendations of action. The Committee's report and
376 recommended action shall be a matter of public record and shall be filed with the Secretary
377 of the Senate.

378 (h)(f) The Committee must find 'clear and convincing evidence' in order to conclude that
379 a violation of Part 4 of Section One of these Rules or a violation of Part 6 of Article 2 of
380 Chapter 10 of Title 45 of the O.C.G.A. within the jurisdiction of the Committee has
381 occurred.

382 (i)(g) If the Committee finds a Senator in that a violation of Part 4 of Section One of these
383 Rules or of Part 6 of Article 2 of Chapter 10 of Title 45 of the O.C.G.A. within the

384 jurisdiction of the Committee has occurred, it may recommend to the Senate a sanction or
385 penalty including a letter of reprimand or any penalty as set forth in the Georgia
386 Constitution under Article III, Section IV, Paragraph VII. The Senate may independently
387 initiate action against a Senator pursuant to the Georgia Constitution, art. III, sec. IV, par.
388 VII.

389 ~~(j) If the Committee finds a Senate staff member, aide, intern, or volunteer in violation of~~
390 ~~Part 4 of Section One of these Rules, it may recommend a sanction or penalty, up to and~~
391 ~~including dismissal, to the Committee on Administrative Affairs. The Committee on~~
392 ~~Administrative Affairs may implement the recommendation of the Committee or take~~
393 ~~alternate action, including dismissing the complaint, issuing a lesser penalty, or issuing a~~
394 ~~harsher penalty than that recommended by the Committee.~~

395 ~~(k)(h) Persons who report to the Committee regarding an alleged violation of Part 4 of~~
396 ~~Section One of these Rules, or any other government entity regarding such violation, shall~~
397 ~~not be subjected to reprisal, retaliation, harassment, discrimination, or ridicule by Senators~~
398 ~~or staff, nor shall the confidentiality provisions contained herein be abridged.~~

399 (i) If a complaint is deemed frivolous by an affirmative vote of the Committee, or if a party
400 or witness breaches the Rules of the Senate or the Committee, the Committee may take
401 such action as it deems appropriate, including referral to the Senate with a recommendation
402 for sanctions, if any. Such sanctions may include, but not be limited to, any or all of the
403 following: that the person be reprimanded, be required to reimburse the cost associated
404 with the complaint, be fined, or be otherwise sanctioned under the contempt powers of the
405 Senate as provided by the Constitution of this state.

406 **1-4.11 1-4.12 Distribution of Rules; Educational Seminars**

407 The Secretary of the Senate shall distribute a copy of Senate Rules to all Senators and staff.
408 The Committee on Ethics shall, when deemed appropriate, conduct seminars or other
409 educational programs designed to inform Senators, staff, or other interested parties of the
410 provisions of these Rules, especially Part 4 of Section One, as well as statutes relating to
411 ethical standards and conduct, sexual harassment, and discrimination.

412 **1-4.13 Distribution and Advice Regarding the Senate Rules**

413 A member of the Senate, an officer of the Senate, or an employee of the Senate may
414 request in writing the opinion or advice of the Committee with regard to interpretation of
415 any section of Part 4 of Section One of these rules. The Committee shall respond
416 expeditiously in writing to such request. All requests for opinions or advice or any opinion
417 or advice given shall be confidential."

418

SECTION 3.

419 Said rules are further amended by revising Rule 2-1.1 as follows:

"2-1.1 Committee on Assignments

421 The Committee on Assignments shall be composed of the President of the Senate, the
422 President Pro Tempore of the Senate, the Majority Leader, and two Senators appointed by
423 the President of the Senate. The President of the Senate or his designee shall serve as chair
424 of the committee. The chair shall vote only to break a tie. Actions of this committee shall
425 be reported to the Senate by the committee chairperson as necessary. The committee is
426 authorized to meet and take official action after adjournment sine die of a session and prior
427 to the convening of the next session. The meetings of this committee shall be closed to the
428 public."

429

SECTION 4.

430 Said rules are further amended by revising Rule 2-1.2 as follows:

"2-1.2 Committee on Administrative Affairs

432 There shall be a Committee on Administrative Affairs composed of the President of the
433 Senate, the President Pro Tempore, the Majority Leader, the Minority Leader, the Secretary
434 of the Senate, and three members appointed by the President of the Senate. This committee
435 shall have the responsibility of employing, supervising, disciplining, and setting the
436 compensation of all aides, secretaries, and other personnel for the Senate, including the
437 Senate Budget and Evaluation, Senate Press and Senate Research offices. The committee
438 shall supervise the purchase and allotment of supplies for the Senate. This committee shall
439 also supervise and approve all out-of-state travel of members of the Senate and staff. The
440 committee shall be chaired by the President Pro Tempore or his or her designee. The
441 committee is authorized to meet and take official action after adjournment sine die of a
442 session and prior to the convening of the next session."

443

SECTION 5.

444 Said rules are further amended by revising paragraph (a) of Rule 2-1.3 as follows:

445 "(a) The Committee on Assignments shall appoint the members of standing committees
446 and the maximum number of Senators which may serve on that committee as follows:

| | | |
|-----|------------------------------------|----|
| 447 | Agriculture and Consumer Affairs | 9 |
| 448 | Appropriations | 30 |
| 449 | Banking and Financial Institutions | 10 |
| 450 | Economic Development and Tourism | 12 |
| 451 | Education and Youth | 10 |
| 452 | Ethics | 13 |

| | | |
|-----|---|-------------------------|
| 453 | Finance | 11 |
| 454 | Government Oversight | 11 |
| 455 | Health and Human Services | 14 |
| 456 | Higher Education | 9 |
| 457 | Insurance and Labor | 9 |
| 458 | Interstate Cooperation | 5 |
| 459 | Judiciary | 12 <u>10</u> |
| 460 | Natural Resources and the Environment | 11 |
| 461 | Public Safety | 8 |
| 462 | Reapportionment and Redistricting | 15 |
| 463 | Regulated Industries and Utilities | 11 |
| 464 | Retirement | 7 |
| 465 | Rules | 14 |
| 466 | Science and Technology | 5 |
| 467 | Special Judiciary | 9 |
| 468 | State and Local Governmental Operations | 7 |
| 469 | State Institutions and Property | 7 |
| 470 | Transportation | 10 |
| 471 | Urban Affairs | 11 |
| 472 | Veterans, Military, and Homeland Security | 8" |

SECTION 6.

473 Said rules are further amended by revising paragraph (a) of Rule 2-1.5 as follows:
 474 "(a) A committee may act upon a bill, resolution, or other matter when the Senate is in
 475 session or during a recess or adjournment after the opening day of a regular session and
 476 prior to the last day of that session. When a committee so acts during a day of recess or
 477 adjournment, the Secretary of the Senate may accept the report of the committee on such
 478 day, and the committee report shall be received and read by the Senate on the next day
 479 when the Senate is in session. A standing committee may not take official action after the
 480 adjournment sine die of a session and prior to the convening of the next session unless
 481 authorized by statute or by the Senate."

SECTION 7.

483 Said rules are further amended in Rule 2-1.10 by adding a new paragraph to read as follows:
 484 "(c) During the last five (5) legislative days, the Committee on Rules may recommend that
 485 any bill or resolution on the General Calendar be amended or substituted prior to placing

487 the bill on the Rules Calendar. Any such substitute shall be considered and agreed to or
488 rejected prior to the consideration of a substitute reported by any other committee."

489 **SECTION 8.**

490 Said rules are further amended by revising paragraph (c) of Rule 3-1.2 as follows:
491 "(c) No general House bill or resolution, having the effect of law shall be accepted by the
492 Secretary of the Senate for first reading and referral to committee after ~~the twenty-eighth~~
493 ~~(28th) a day agreed upon by the Senate and the House of Representatives which shall not~~
494 ~~be earlier than the twenty-fifth (25th) day of any regular session, which shall be known as~~
495 ~~the crossover day.~~ Referral of House legislation received on the ~~twenty-eighth (28th)~~
496 ~~legislative crossover~~ day may be made during the Order of Business of First Reading and
497 Reference of House Bills and Resolutions on the ~~twenty-ninth (29th)~~ next legislative day
498 following such crossover day. The provisions of this paragraph shall in no case be
499 suspended except by a two-thirds (2/3) vote of the members to which the Senate is entitled;
500 provided that this rule may be suspended by a majority vote on general and supplemental
501 appropriations bills."

502 **SECTION 9.**

503 Said rules are further amended by revising Rule 3-1.5 as follows:
504 **"3-1.5 Receipt of House Bills on the 28th Crossover Day**
505 When a general bill or resolution is received from the House during a period when the
506 Senate is in recess on the ~~twenty-eighth (28th) day of a regular session~~ crossover day, the
507 bill or resolution may be read and referred to a standing committee by the President of the
508 Senate during such period of recess. The Secretary of the Senate shall maintain a public
509 listing of all bills so read and referred. Any Senator who desires to move to engross any
510 such bill or resolution must serve written notice of his or her intention to do so by
511 delivering such written notice to the Secretary before midnight of that ~~twenty-eighth (28th)~~
512 crossover day. When notice is so given, further proceedings on a motion to engross shall
513 be as provided in Rule 6-9.1(b), except as otherwise provided in this Rule."

514 **SECTION 10.**

515 Said rules are further amended by revising paragraph (a) of Rule 3-3.1 as follows:
516 "(a) Upon receiving the name of any person whose appointment to public office requires
517 Senate confirmation, the President of the Senate shall refer such appointments to the
518 Committee on Assignments. Such referral shall be made no later than the legislative day
519 after receipt. The Committee on Assignments shall consider such appointments and may
520 refer such appointments to one or more standing committees and shall instruct the

521 Secretary of the Senate to notify the Senate that the names of such appointees have been
522 received. Except for appointments to the Judicial Qualifications Commission which shall
523 be submitted pursuant to statute, no appointees shall be considered for confirmation by the
524 Senate unless the names of such appointees are received by the President of the Senate
525 prior to the ~~twentieth~~ (20th) tenth (10th) legislative day. However, no appointments may
526 be considered by the Senate until the expiration of seventy-two (72) hours after receipt
527 thereof by the President of the Senate, or until the expiration of forty-eight (48) hours after
528 being referred to the Committee on Assignments. The Secretary of the Senate shall make
529 the names of appointees submitted to the Senate for confirmation available for review by
530 any Senator. The chair of the standing committee or committees to which the appointment
531 may have been referred shall cause such appointment or appointments to be considered by
532 the committee within a reasonable period of time after receiving the referral. The chair of
533 the standing committee or committees to which the appointments may have been referred
534 shall then report the committee's recommendations to the Committee on Assignments
535 which shall report its recommendations to the full Senate."

SECTION 11.

537 Said rules are further amended by revising paragraphs (a) and (b) of Rule 3-3.2 as follows:

538 "(a) In order for local legislation to be favorably reported by the Committee on State and

539 Local Governmental Operations, such legislation must be signed by a majority of the

540 Senators representing the political subdivision affected by such legislation. For the purpose

541 of determining which Senator or Senators represent a political subdivision, the Senator's

542 district must include all or a portion of the geographical area of the political subdivision

543 affected by the local legislation. If an even number of Senators representing multi-member

544 political subdivisions are equally divided on any local legislation, the legislation may be

545 considered by the Committee on State and Local Governmental Operations on its merits,

546 and the committee may report the legislation to the Senate with the recommendation that

547 it 'do pass' or 'do not pass.'

548 (b) For the purpose of determining which Senator or Senators represent a political
549 subdivision, the Senator's district must include all or a portion of the geographical area of
550 the political subdivision affected by the local legislation. Annexation bills shall be
551 assumed to affect other municipalities and the county in which they are located. If an
552 annexation bill affects more than one senatorial district, the bill must be signed by the
553 Senate delegation a majority of the Senators representing all the affected counties and
554 municipalities."

555

SECTION 12.

556 Said rules are further amended by revising paragraph (a) of Rule 4-2.9 as follows:
557 "(a) All bills and resolutions shall be called in the order in which they appear on the Rules
558 Calendar. On the days on which there is no Rules Calendar, bills shall be called in
559 numerical order. No general Senate bill or resolution having the effect of law shall be read
560 the third time and put upon its passage or adoption after the ~~twenty-eighth~~ (28th) crossover
561 day of any regular session. No general House bill or resolution having the effect of law
562 shall be read the third time and put upon its passage or adoption after the thirty-ninth (39th)
563 day of any regular session except that this prohibition shall not apply to a bill or resolution
564 which was laid on the table on the thirty-ninth (39th) day. The provisions of this paragraph
565 shall in no case be suspended except by a two-thirds (2/3) vote of the members to which
566 the Senate is entitled."

567

SECTION 13.

568 Said rules are further amended by revising paragraph (b) of Rule 5-1.3 as follows:
569 "(b) The President's method of stating the question on any motion for a ~~voice~~ vote division
570 of the Senate shall be as follows: 'All those who favor the motion shall rise, stand and be
571 counted'; after a count is had by the Secretary of the Senate, he or she shall call upon the
572 Senators to 'Reverse your position,' and the President shall announce the result."

573

SECTION 14.

574 Said rules are further amended by revising paragraph (c) of Rule 6-7.1 as follows:
575 "(c) A notice of motion to reconsider a bill or resolution shall take precedence over a
576 motion to transmit and shall have the effect of defeating the motion to transmit; except on
577 the ~~twenty-eighth~~ (28th) crossover day and during the last three (3) days of any regular
578 session, a Senator must give notice immediately of his or her intention to move to
579 reconsider, and the President or the designee of the President shall set a time during the day
580 when the motion will be entertained, so stating the time to the Senate; the time shall be at
581 the discretion of the President or the designee of the President, but not less than ten
582 minutes. If the Senate is considering any other business at the time the motion to
583 reconsider has been set to be entertained, the motion will be taken up upon conclusion of
584 that business."

585

SECTION 15.

586 Said rules are further amended by revising Rule 9-1.4 by adding a new paragraph to read as
587 follows:

588 "(d) All persons entering the Senate chamber shall be dressed in attire appropriate to the
589 Senate. No person shall be admitted on the floor of the Senate bearing a placard, display,
590 banner, or sign unless authorized by the President. All buttons, signs, or articles of clothing
591 that promote a candidate for public office are prohibited."

592 **SECTION 16.**

593 Said rules are further amended by revising paragraph (d) of Rule 9-1.9 as follows:
594 "(d) The President of the Senate Committee on Administrative Affairs shall issue media
595 credentials, and the Secretary of the Senate shall certify such credentials and issue
596 identification badges as appropriate. The Sergeant at Arms, with the assistance of the
597 Director of the Senate Press Office, is specifically charged with enforcing this Rule.
598 Credentials may be revoked at any time for failure to observe the Rules of the Senate."

599 **SECTION 17.**

600 Said rules are further amended by revising Rule 9-1.16 as follows:

601 **9-1.16 Gallery and Senate Environs**

602 (a) Expressions of approval or disapproval are not permitted in the Senate gallery.
603 (b) Applause, hisses, shouting, or other disruptive noise in the gallery, lobbies, or hallways
604 in the immediate environs of the Senate during any legislative proceeding shall be promptly
605 suppressed. Placards, displays, banners, and signs in these areas are prohibited and shall
606 be removed promptly.

607 (c) The use of cameras, including cell phone cameras and similar devices, is prohibited in
608 the Senate gallery unless expressly authorized by the President.

609 (d) The President shall have power to cause the galleries and lobbies of the Senate take any
610 action deemed necessary to maintain decorum in the Senate chamber, the Senate lobbies,
611 the Senate gallery, and the immediate environs of the Senate. Such actions include, but are
612 not limited to, causing these areas to be cleared by the Sergeant at Arms in case of
613 disturbance or disorderly conduct therein, and to cause any person or persons so offending
614 to be arrested and brought before the bar of the Senate to be dealt with for contempt of the
615 Senate.

616 (e) The Committee on Administrative Affairs may establish guidelines addressing
617 appropriate conduct and activity in the gallery Senate lobbies, the Senate galleries, and the
618 immediate environs of the Senate."